

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**  
(Case No. 203.004-US)

In the Application of: **BALLERSTADT ET AL.** ) Group Art Unit: **1651**  
Serial No: **10/735,153** ) Examiner  
Filed: **DECEMBER 12, 2003** )  
Title: **DEVICE AND METHOD FOR** )  
**ANALYTE SENSING** )

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**THIRD INFORMATION DISCLOSURE STATEMENT**

Dear Sir:

Submitted herewith is one (1) sheets of a modified Form PTO-1449. A copy of each document cited on the attached Form PTO-1449 is also submitted.

It is respectfully requested that the Examiner make his/her consideration of these documents formally of record.

Respectfully submitted,

Neil A. Steinberg  
Reg. No. 34,735  
650-968-8079

Date: January 24, 2005

02/01/2005 CNGUYEN 00000038 10735153

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180.00 OP

<b>PTO-1449 (Modified)</b>  <b>U.S. DEPARTMENT OF COMMERCE</b> <b>PATENT AND TRADEMARK OFFICE</b>  <b>INFORMATION DISCLOSURE STATEMENT</b> <b>BY APPLICANT</b>	<b>ATTY. DOCKET NO.</b> <b>203.004-US</b>	<b>SERIAL NUMBER</b> <b>10/735,153</b>
	<b>APPLICANT(S)</b> <b>Ballerstadt et al.</b>	
	<b>FILING DATE</b> <b>December 12, 2003</b>	<b>GROUP ART UNIT</b> <b>1651</b>

## U.S. PATENT DOCUMENTS

EXAMINER INITIALS	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE
	6,383,767	5/2002	Polak			
	6,694,158	2/2004	Polak			

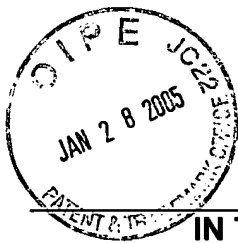
## FOREIGN PATENT DOCUMENTS

EXAMINER INITIALS	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION YES/NO	

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	"Fiber-Optic Biosensors Based on Fluorescence Energy Transfer", Meadows et al., Talanta, Vol. 35, No. 2, pp.145-150, 1988
	"Chemiluminescent and Fluorescent Probes for DNA Hybridization Systems", Heller et al., DNA Hybridization Systems, pp.245-257 (1985)
	"Detection of Nucleic Acid Hybridization by Nonradiative Fluorescence Resonance Energy Transfer", Cardullo et al., Proc. Natl. Acad. Sci. U.S.A., Vol. 85, pp.8790-8794, December 1988
	"Affinity Sensor: A New Technique for Developing Implantable Sensors for Glucose and Other Metabolites", Schultz et al., Diabetes Care, Vol. 5, No. 3, pp.245-253 (1982)

<b>EXAMINER</b>	<b>DATE CONSIDERED</b>
<b>EXAMINER: Initial citation if reference was considered. Draw line through citation if not in conformance to MPEP 609 and not considered. Include copy of this form with next communication to applicant.</b>	



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**Certificate of Mailing under 37 CFR 1.8**

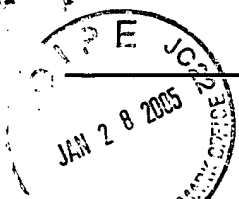
I hereby certify that the attached: **(1)** Third Information Disclosure Statement (1 page + Modified PTO-1449 (1 sheet) and References cited therein); **(2)** Fee Transmittal (1 page + 1 copy thereof); **(3)** Check (\$180.00) are being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

on January 24, 2005.

  
\_\_\_\_\_  
Signature

  
\_\_\_\_\_  
Print Name of Person Signing Certificate



IFW

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**FEE TRANSMITTAL**

Dear Sir:

Transmitted herewith is a **Third Information Disclosure Statement** (1 page + Form PTO-1449 (1 sheet) and references cited therein.

The fee has been calculated as shown below:

CLAIMS AS AMENDED						
	Claims Remaining	Highest Number Previously Paid	Extra	Rate		Amount
				Large	Small	
Number of Claims In (in excess of 20)	0	0	0	\$50.00	\$25.00	-0-
Independent Claims (in excess of 3)	0	0	0	\$200.00	\$100.00	-0-
Extension Fee: a) One Month				\$120.00	\$60.00	-0-
Filing of Information Disclosure Statement (37 C.F.R. §1.17(p)):						\$180.00
TOTAL FEE DUE:						\$180.00

**Method of Payment:**

☒ A check payable to the Commissioner of Patents and Trademarks, in the amount of \$180.00 is enclosed as payment of the Total Fee.

☐ Please charge my Deposit Acc. 50-0763 in the amount of \$ \_\_\_\_\_ to cover the above fees. A duplicate copy of this sheet is enclosed.

☒ The Commissioner is hereby authorized to charge any fees that may be required, or credit any overpayment to Deposit Acc. 50-0763. A duplicate copy of this sheet is enclosed.

Date: January 24, 2005

Respectfully submitted,

Neil Steinberg, Reg. No. 34,735  
Telephone No. (650) 968-8079